

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	CRIMINAL NO. 18-2945 WJ
	)	
vs.	)	
	)	
SIRAJ IBN WAHHAJ,	)	
HUJRAH WAHHAJ,	)	
SUBHANAH WAHHAJ, and	)	
LUCAS MORTON,	)	
	)	
Defendants.	)	

**UNITED STATES' MOTION TO DISMISS COUNTS 4 AND 5**  
**OF THE SUPERSEDING INDICTMENT**

The United States moves the Court to dismiss Count 4 (charging a violation of 18 U.S.C. § 371, Conspiracy to Commit an Offense Against the United States) and Count 5 (charging a violation of 18 U.S.C. §§ 922(g)(5) and 2, Possessing a Firearm While Unlawfully in the United States and Aiding and Abetting) of the Superseding Indictment as to Defendants Siraj Ibn Wahhaj, Hujrah Wahhaj, Subhanah Wahhaj, and Lucas Morton. As grounds therefore, the United States submits that it is in the interests of justice that these charges be dismissed.

Counsel for Defendants Subhanah Wahhaj and Hujrah Wahhaj do not oppose this motion. Defendants Siraj Ibn Wahhaj and Lucas Morton, representing themselves, also do not oppose this motion.

WHEREFORE, the United States requests that this motion be granted and the Court dismiss Counts 4 and 5 of the Superseding Indictment as to these defendants with prejudice.

Respectfully submitted,

ALEXANDER M.M. UBALLEZ  
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/s/ *Electronically filed*  
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Certificate of Service

I hereby certify that I filed the foregoing pleading electronically through the CM/ECF system, which caused counsel of record for Defendants to be served by electronic means. A copy was also mailed to Defendants Siraj Ibn Wahhaj and Lucas Morton.

/s/ *Filed Electronically*  
KIMBERLY A. BRAWLEY  
Assistant U.S. Attorney

